



DEPARTMENT OF THE ARMY

US Army Criminal Investigation Command
Fort Bragg CID Office
Building 8-1221 Randolph Street
Fort Bragg, North Carolina, 28310-8310

CIRC-FFB

2016/12/09

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Law Enforcement Report - SIR (Category 1)/Final - 00837-2016-CID023-014771-5H1/ 5X1/9J

1. Offense:

- a. Murder (UCMJ - Article 118)
- b. Conspiracy - Person Offenses (UCMJ - Article 81)

2. Dates/Times/Locations of Occurrences:

- a. 0001, 01 Sep 11 - 2359, 30 Sep 11; Murghhab District, Badghis Province, Afghanistan
- b. 0001, 01 Aug 12 - 2359, 31 Oct 12; Chak District, Wardak Province, Afghanistan

3. Date/Time Reported: 1500, 31 Jul 16

4. Investigated By:

(b)(6) (b)(7)(C)

5. Subjects/Suspects: NONE; [Murder], [Conspiracy - Person Offenses]

6. Victims:

- a. UNKNOWN - 9678314; [Murder], [Conspiracy - Person Offenses]
- b. UNKNOWN - 9678341; [Murder], [Conspiracy - Person Offenses]

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7. Report Summary:

This is an Operation Enduring Freedom Investigation.

During a series of subject interviews for CID Law Enforcement Report (LER) 00194-2013-CID369-025984, Mr. (b)(6) (b)(7)(C) disclosed he murdered suspected members of the Taliban with the consent and knowledge of MSG (b)(6) (b)(7)(C) former Team SGT of Special Forces Operational Detachment Alpha (SFODA) 3124. At the time of the incidents Mr. (b)(6) (b)(7)(C) was serving as an undocumented linguist for SFODA 3124.

Mr. (b)(6) (b)(7)(C) stated the first incident occurred after SFODA 3124 was engaged in a firefight during which he and MSG (b)(6) (b)(7)(C) captured a wounded Afghan male who was suspected to be a member of the Taliban. Mr. (b)(6) (b)(7)(C) stated MSG (b)(6) (b)(7)(C) questioned the man, stated "You know what to do," and departed the immediate area. Mr. (b)(6) (b)(7)(C) stated he shot and killed the man after concluding he had lost a lot of blood, there was not a way to readily transport him due to rough terrain, and that he would likely die of his wounds.

Mr. (b)(6) (b)(7)(C) stated the second incident occurred after SFODA 3124 was engaged in a firefight which resulted in the capture of a Afghan male w (b)(6) (b)(7)(C) ing in an area near improvised explosive devices. Mr. (b)(6) (b)(7)(C) stated MSG (b)(6) (b)(7)(C) began questioning the man, at which point Mr. (b)(6) (b)(7)(C) stated he shot and killed the man in MSG (b)(6) (b)(7)(C) presence. Mr. (b)(6) (b)(7)(C) stated MSG (b)(6) (b)(7)(C) as not aware he was going to shoot the man. Mr. (b)(6) (b)(7)(C) stated he decided to kill the man because the team was still taking small arms fire from insurgents and there was no time to question the man.

An operational review determined these incidents involving SFODA 3124 will be reported and investigated under CID LER 01267-2013-CID023-025984.

Exhibits:

Attached: None.

Not Attached: None.

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CID LERs may be subject to a quality assurance review by CID higher headquarters.

8. Unique Circumstances:

War Crimes [9J]

Alleged war crimes.

Commanders are reminded of the provisions of AR 600-8-2 pertaining to suspension of favorable personnel actions and AR 380-67 for the suspension of security clearances of persons under investigation. Army Law Enforcement reports are exempt from automatic termination of protective markings in accordance with Chapter 3, AR 25-55. In accordance with AR 340-21, AR190-45, and DOD 5400.7-R, information contained in this report is law enforcement sensitive, confidential and private in nature, and any further distribution (forwarding to unauthorized personnel) without the authorization of the Provost Marshal General will be in violation of the UCMJ and USC.

Report Prepared By

Report Approved By

Special Agent (b)(6) (b)(7)(C)

Special Agent-in-Charge (b)(6) (b)(7)(C)
(b)(6) (b)(7)(C)

Signature Authority

Special Agent in Charge (b)(6) (b)(7)(C)

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CASE HISTORY:

00091-2016-CID369-014771

00837-2016-CID023-014771